

## REMARKS

The Applicants have carefully reviewed the final official action and the references cited therein. In the official action, claims 1 and 22 were rejected under 35 U.S.C. § 102(e) as anticipated by Strauss et al. (US 6,272,126); claim 13 was rejected under 35 U.S.C. § 102(e) as anticipated by Clarke, Jr. et al. (US 6,021,419); claims 2-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Strauss et al. in view of one or more of Ng et al. (US 6,243,376), Lin et al. (US 6,791,952), and Gerszberg et al. (US 6,542,500); claims 14-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Clarke et al. in view of one or more of Lin et al., Gerszberg et al., and Ng et al. In addition, claim 21 was indicated as allowable. Accordingly, claim 21 is not discussed further herein. By way of this response, the Applicants have amended claims 1, 14, and 13-20 and added claims 23-26. No new matter has been added. In view of the foregoing amendments and the following remarks, the Applicants respectfully traverse the rejections and submit that all pending claims are in condition for allowance. Reconsideration of this application is respectfully requested.

### I. Independent Claim 1

The Applicants respectfully submit that independent claim 1 is allowable over the art of record. Independent claim 1 recites, among other things, a home gateway system that is located at a subscriber household, detecting a dialing of a destination telephone number, and establishing a connection with the internet service provider via the home gateway system. In the final action, claim 1 was rejected in view of Strauss et al. However, Strauss et al. do not describe or suggest a home gateway system located at a subscriber household to perform the operations recited in claim 1. Instead, Strauss et al. describe that a telephone terminal X (120) is connected to a central office (102), which is in turn connected to a server A (100). *Strauss et al.*, 7:46-8:56 and FIG. 1. The server A (100) is remotely located from a subscriber household instead of at a subscriber household. In addition, Strauss et al. describe that the server A (100) selects a telephone number and connects to an internet service provider. *Id.*, 9:39-44. Thus, while Strauss et al. describe connecting to an internet service provider via the server A (100) (which is remotely located from a subscriber household), claim 1 recites establishing a connection with an internet service provider via a home gateway system that is located at a subscriber household.

In view of the foregoing, the Applicants respectfully submit that Strauss et al. do not describe each and every element of claim 1 and, thus, cannot anticipate claim 1.

Accordingly, the Applicants respectfully submit that independent claim 1 and all claims dependent thereon are in condition for allowance.

**II. Independent Claim 13**

The Applicants respectfully submit that independent claim 13 is allowable over the art of record. Independent claim 13 recites, among other things, a home gateway system for installation at a subscriber site and configured to be communicatively coupled to a plurality of telephones in the subscriber site. In the final action, claim 13 was rejected in view of Clark, Jr. et al. However, Clark, Jr. et al. do not describe or suggest a home gateway system for installation at a subscriber site and configured to be communicatively coupled to a plurality of telephones in the subscriber site as recited in claim 13. Instead, Clark, Jr. et al. describe a satellite uplink facility (115) that sends data to a satellite receiver (161) at a home via a satellite (130). *Clark, Jr. et al.*, 1:25-60 and FIG. 1. Thus, Clark, Jr. et al. describe a satellite uplink facility (115) that is not at a subscriber site, but that is instead remotely located from subscriber site such that it needs to use a satellite (130) to communicate data to a subscriber site. Thus, while Clark, Jr. et al. describe a satellite uplink facility (115) remotely located from a subscriber site, claim 13 recites a home gateway system for installation at a subscriber site.

In view of the foregoing, the Applicants respectfully submit that Clark, Jr. et al. do not describe each and every element of claim 13 and, thus, cannot anticipate claim 13. Accordingly, the Applicants respectfully submit that independent claim 13 and all claims dependent thereon are in condition for allowance.

**III. Conclusion**

In view of the foregoing, the Applicants respectfully submit that this application is in condition for allowance and requests reconsideration of this application and an early favorable action on the merits. If there are any remaining matters that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

The Commissioner is hereby authorized to refund any overpayment and charge any deficiency in the amount paid in connection with this paper or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-2455. In addition, if a petition for an extension of time under 37 CFR 1.136(a) is necessary to maintain the pendency of this case and is not otherwise requested in this case, the Applicants request that the Commissioner consider this paper to be a petition for an appropriate extension of time and hereby authorize the Commissioner to charge the fee as set forth in 37 CFR 1.17(a) corresponding to the needed extension of time to the above deposit account.

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**January 12, 2009**